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SOUTHERN CALIFORNIA
8 ASSOCIATION OF GOVERNMENTS

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**
11

12 CITY OF HUNTINGTON BEACH, a
California Charter City, and Municipal
13 Corporation, the HUNTINGTON
BEACH CITY COUNCIL, MAYOR
14 OF HUNTINGTON BEACH, TONY
STRICKLAND, and MAYOR PRO
15 TEM OF HUNTINGTON BEACH,
GRACEY VAN DER MARK,

16 Plaintiffs,

17 v.

18 GAVIN NEWSOM, in his official
capacity as Governor of the State of
19 California, and individually;
20 GUSTAVO VELASQUEZ in his
official capacity as Director of the State
21 of California Department of Housing
and Community Development, and
22 individually; STATE LEGISLATURE;
STATE OF CALIFORNIA
23 DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT;
24 SOUTHERN CALIFORNIA
ASSOCIATION OF
25 GOVERNMENTS; and DOES 1-50,
inclusive,

26 Defendants.
27
28

Case No. 8:23-cv-00421

**JOINT STIPULATION TO SET
BRIEFING SCHEDULE ON
MOTIONS CHALLENGING FIRST
AMENDED COMPLAINT**

Compl. filed: March 9, 2023
Am. Compl. filed: March 27, 2023

The Hon. Fred W. Slaughter

Trial Date: None Set

1 It is hereby stipulated by and between Plaintiffs City of Huntington Beach,
 2 the Huntington Beach City Council, Mayor of Huntington Beach Tony Strickland,
 3 and Mayor Pro Tem of Huntington Beach Gracey van der Mark (“Plaintiffs”); and
 4 Defendants Gavin Newsom, Gustavo Velasquez, State of California Department of
 5 Housing and Community Development (“the State Defendants”); and Southern
 6 California Association of Governments (“SCAG”), (together, the “Stipulating
 7 Parties”) as follows:

8 **WHEREAS**, on or about March 9, 2023, Plaintiffs filed a Complaint
 9 asserting claims against the State Defendants as well as SCAG;

10 **WHEREAS**, on March 24, 2023, counsel for Plaintiffs and counsel for
 11 SCAG agreed to extend the time for SCAG to respond to the initial Complaint by 30
 12 days from the original deadline to allow SCAG sufficient time to obtain direction
 13 from its various governing boards, because the initial response date fell within
 14 spring break, and to give SCAG sufficient time to evaluate the Complaint;

15 **WHEREAS**, on March 27, 2023, before the Stipulating Parties filed a
 16 stipulation regarding the above-mentioned agreement, Plaintiffs filed a First
 17 Amended Complaint;

18 **WHEREAS**, all defendants’ responsive pleadings to the First Amended
 19 Complaint are now due on April 10, 2023; and

20 **WHEREAS**, counsel for Plaintiffs and counsel for SCAG have agreed to
 21 extend the time for SCAG to respond to the First Amended Complaint to May 1,
 22 2023, consistent with the Stipulating Parties’ prior agreement, discussed above, to
 23 extend time for SCAG to respond to the initial complaint; and

24 **WHEREAS**, in the interest of judicial efficiency, counsel for Plaintiffs and
 25 counsel for the State Defendants agreed on March 30, 2023 to extend the time for
 26 the State Defendants to respond to the First Amended Complaint to match SCAG’s
 27 response date of May 1, 2023; and

28 **WHEREAS**, SCAG and/or the State Defendants intend to bring motions

1 challenging the First Amended Complaint (“Motions”) by no later than May 1,
2 2023; and

3 **WHEREAS**, in order to allow the Stipulating Parties an opportunity to fully
4 evaluate the merits to SCAG’s and/or the State Defendants’ Motions and any
5 opposition and replies thereto, the Stipulating Parties have agreed to a briefing
6 schedule on the Motions under which Plaintiffs shall have until June 6, 2023 to file
7 any opposition to the Motions, that SCAG and the State Defendants shall have until
8 June 22, 2023 to file any replies in support of the Motions, and that the Motions
9 shall be heard on July 6, 2023 or the soonest date thereafter permitted by the Court’s
10 schedule.

11 **NOW, THEREFORE**, it is hereby stipulated by and between the Stipulating
12 Parties that SCAG and the State Defendants shall have until May 1, 2023 to file a
13 response to the First Amended Complaint.

14 In addition, Plaintiffs shall have until June 6, 2023 to file an opposition to any
15 Motions brought by SCAG and/or the State Defendants challenging the Plaintiffs’
16 First Amended Complaint. If Plaintiffs choose to file one opposition to all of the
17 separate respective Motions filed by respective Defendants, it is agreed by the
18 Stipulating Parties that Plaintiffs shall have thirty (30) pages instead of fifteen (15)
19 for their sole Opposition brief.

20 In addition, SCAG and/or the State Defendants shall have until June 22, 2023
21 to file any Reply in Support of their respective Motions challenging Plaintiffs’ First
22 Amended Complaint.

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1 Pursuant to Local Rule 5-4.3.4(a)(2)(i), all signatories listed, and on whose
2 behalf the filing is submitted, concur in the filing's content and have authorized the
3 filing.

4 **IT IS SO STIPULATED.**

5
6 DATED: April 6, 2023

MEYERS NAVE

7
8
9 By: /s/ Deborah J. Fox

10 DEBORAH J. FOX

Attorneys for Defendant

11 SOUTHERN CALIFORNIA

12 ASSOCIATION OF GOVERNMENTS

13 DATED: April 6, 2023

CITY OF HUNTINGTON BEACH

14
15
16 By: /s/ Michael E. Gates

17 MICHAEL E. GATES,

MICHAEL J. VIGLIOTTA

Attorneys for Plaintiffs

18 CITY OF HUNTINGTON BEACH, the

19 HUNTINGTON BEACH CITY

20 COUNCIL, MAYOR OF HUNTINGTON

21 BEACH, TONY STRICKLAND, and

22 MAYOR PRO TEM OF HUNTINGTON

23 BEACH, GRACEY VAN DER MARK

1 DATED: April 6, 2023

CALIFORNIA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

4 By: /s/ Thoms Kinzinger

5 DAVID PAI,
6 MATTHEW STRUHAR,
7 THOMAS KINZINGER
8 Attorneys for Defendants
9 GAVIN NEWSOM, GUSTAVO
10 VELASQUEZ, and STATE OF
11 CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY
DEVELOPMENT

11 5336307